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09500HB5915ham001

LRB095 19948 JAM 47935 a

1 AMENDMENT TO HOUSE BILL 5915

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5915 on page 1, by  
3 inserting below line 11 the following:

4 "Section 1-10. Rulemaking. Notwithstanding any other  
5 rulemaking authority that may exist, neither the Governor nor  
6 any agency or agency head under the jurisdiction of the  
7 Governor has any authority to make or promulgate rules to  
8 implement or enforce the provisions of this Article. If,  
9 however, the Governor believes that rules are necessary to  
10 implement or enforce the provisions of this Article, the  
11 Governor may suggest rules to the General Assembly by filing  
12 them with the Clerk of the House and the Secretary of the  
13 Senate and by requesting that the General Assembly authorize  
14 such rulemaking by law, enact those suggested rules into law,  
15 or take any other appropriate action in the General Assembly's  
16 discretion. Nothing contained in this Article shall be  
17 interpreted to grant rulemaking authority under any other

1 Illinois statute where such authority is not otherwise  
2 explicitly given. For the purposes of this Section, "rules" is  
3 given the meaning contained in Section 1-70 of the Illinois  
4 Administrative Procedure Act, and "agency" and "agency head"  
5 are given the meanings contained in Sections 1-20 and 1-25 of  
6 the Illinois Administrative Procedure Act to the extent that  
7 such definitions apply to agencies or agency heads under the  
8 jurisdiction of the Governor."; and

9 on page 4, by replacing lines 11 through 13 with the following:

10 "Section 5-40. Rulemaking. Notwithstanding any other  
11 rulemaking authority that may exist, neither the Governor nor  
12 any agency or agency head under the jurisdiction of the  
13 Governor has any authority to make or promulgate rules to  
14 implement or enforce the provisions of this Article. If,  
15 however, the Governor believes that rules are necessary to  
16 implement or enforce the provisions of this Article, the  
17 Governor may suggest rules to the General Assembly by filing  
18 them with the Clerk of the House and the Secretary of the  
19 Senate and by requesting that the General Assembly authorize  
20 such rulemaking by law, enact those suggested rules into law,  
21 or take any other appropriate action in the General Assembly's  
22 discretion. Nothing contained in this Article shall be  
23 interpreted to grant rulemaking authority under any other  
24 Illinois statute where such authority is not otherwise

1 explicitly given. For the purposes of this Section, "rules" is  
2 given the meaning contained in Section 1-70 of the Illinois  
3 Administrative Procedure Act, and "agency" and "agency head"  
4 are given the meanings contained in Sections 1-20 and 1-25 of  
5 the Illinois Administrative Procedure Act to the extent that  
6 such definitions apply to agencies or agency heads under the  
7 jurisdiction of the Governor."; and

8 on page 5, by inserting below line 6 the following:

9 "(d) Notwithstanding any other rulemaking authority that  
10 may exist, neither the Governor nor any agency or agency head  
11 under the jurisdiction of the Governor has any authority to  
12 make or promulgate rules to implement or enforce the provisions  
13 of this amendatory Act of the 95th General Assembly. If,  
14 however, the Governor believes that rules are necessary to  
15 implement or enforce the provisions of this amendatory Act of  
16 the 95th General Assembly, the Governor may suggest rules to  
17 the General Assembly by filing them with the Clerk of the House  
18 and the Secretary of the Senate and by requesting that the  
19 General Assembly authorize such rulemaking by law, enact those  
20 suggested rules into law, or take any other appropriate action  
21 in the General Assembly's discretion. Nothing contained in this  
22 amendatory Act of the 95th General Assembly shall be  
23 interpreted to grant rulemaking authority under any other  
24 Illinois statute where such authority is not otherwise  
25 explicitly given. For the purposes of this paragraph, "rules"

1 is given the meaning contained in Section 1-70 of the Illinois  
2 Administrative Procedure Act, and "agency" and "agency head"  
3 are given the meanings contained in Sections 1-20 and 1-25 of  
4 the Illinois Administrative Procedure Act to the extent that  
5 such definitions apply to agencies or agency heads under the  
6 jurisdiction of the Governor.".